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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

CAESARS ENTERTAINMENT,
INCORPORATED, A DELAWARE
CORPORATION; PARK PLACE
ENTERTAINMENT CORPORATION, A
DELAWARE CORPORATION, AND
DESERT PALACE, INC., d/b/a
CAESAR'S PALACE, A NEVADA
CORPORATION, DOES 1-10
INCLUSIVE,

Defendants.

) CASE NO.: CV-S-05-0427-LRH-PAL

)
)
) **FIRST AMENDED COMPLAINT**
) **-CIVIL RIGHTS**
) **SEX HARASSMENT AND**
) **RETALIATION**

)
)
) (42 U.S.C. §§ 2000e, et seq.;)

) **DEMAND FOR JURY TRIAL**
)
)

NATURE OF THE ACTION

This is a sexual harassment and retaliation action brought by the United States Equal
Employment Opportunity Commission ("the Commission" or "Plaintiff"), under Title VII of the

JAM13190

1 Civil Rights Act of 1964, as amended, to correct unlawful employment practices on the basis of
2 sex and to provide appropriate relief to the Charging Parties, Jessica Alvarado, Candelaria
3 Turcios, Elina Masid, Jessemia Chamorro, Maribel Mendoza, Tange Johnson (collectively
4 referred to hereafter as "the Charging Parties"), and a class of similarly situated individuals, who
5 were adversely affected by such practices. The Commission alleges that "the Charging Parties"
6 and other similarly situated individuals were sexually harassed or subjected to sex-based
7 harassment during their employment with Defendants, Caesars Entertainment Inc., a Delaware
8 Corporation, Park Place Entertainment Corporation, a Delaware Corporation, and Desert Palace,
9 Inc., d/b/a Caesar's Palace, a Nevada Corporation ("Defendant Employers"). Charging Parties,
10 and other similarly situated individuals were subjected to a hostile work environment
11 perpetuated by Defendants' supervisor(s) and co-workers.

12 The Commission also alleges that the Charging Parties and other similarly situated
13 individuals who had complained of the harassment by supervisors were subjected to retaliation
14 in the form of demotion, loss of wages, further harassment, discipline or discharge.

15 **JURISDICTION AND VENUE**

16 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. sections 451, 1331,
17 1337, 1343 and 1345. This action is authorized and instituted pursuant to §§706(f)(1) and (3)
18 and 707 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e-5(f)(1) and
19 (3) and pursuant to § 102 of the Civil Rights Act of 1991, 42 U.S.C. §§1981A.

20 2. The employment practices alleged herein to be unlawful were committed within
21 the jurisdiction of the United States District Court for the State of Nevada.

22 3. Prior to institution of this lawsuit, the Commission's representatives attempted to
23 eliminate the unlawful employment practices alleged below and to effect voluntary compliance
24 with Title VII through informal methods of conciliation, conference and persuasion within the
25 meaning of §§706(f)(1) and (3) of Title VII, 42 U.S. C., §§2000e-5(f)(1) and (3). All conditions
26 precedent to the institution of this lawsuit have been fulfilled.

27 **PARTIES**

28 4. Plaintiff Commission is an agency of the United States of America charged with

1 the administration, interpretation and enforcement of Title VII, and is expressly authorized to
2 bring this action under §§706(f)(1) and (3) and 707 of Title VII, 42 U.S.C., §§ 2000e-5(f)(1) and
3 (3) and 2000e-6(e).

4 5. At all relevant times, "Defendant Employers," have continuously been and are
5 now doing business in the State of Nevada, County of Washoe, and City of Las Vegas, Nevada.

6
7 6. Plaintiff is ignorant of the true names and capacities of "Defendant Employers,"
8 sued as DOES 1 through 10, inclusively, and therefore Plaintiff sues said "Defendant
9 Employers" by such fictitious names. Plaintiff reserves the right to amend the complaint to
10 name the DOE "Defendant Employers" individually or collectively as they become known.
11 Plaintiff alleges that each of the "Defendant Employers" named as DOES was in some manner
12 responsible for the acts and omissions alleged herein and Plaintiff will amend the complaint to
13 allege such responsibility when same has been ascertained by Plaintiff.

14 7. It is further alleged on information and belief that the named and unnamed
15 defendants in the complaint are mere alter egos of the "Defendant Employers." The remaining
16 Defendants are properly named in the complaint.

17 8. All of the acts and failures to act alleged herein were duly performed by and
18 attributable to "Defendant Employers", each acting as a successor, agent, employee or under the
19 direction and control of the others, except as specifically alleged otherwise. Said acts and
20 failures to act were within the scope of such agency and/or employment, and each "Defendant
21 Employers" participated in, approved and/or ratified the unlawful acts and omissions by other
22 "Defendant Employers" complained of herein. Whenever and wherever reference to any act in
23 this Complaint to any act by a defendant employer or "Defendant Employers," such allegations
24 and reference shall also be deemed to mean the acts and failures to act of each "Defendant
25 Employer" acting individually, jointly and/or severally.

26 9. At all relevant times, "Defendant Employers" have continuously been employers
27 engaged in an industry affecting commerce within the meaning of §§ 701 (b), (g) and (h) of Title
28 VII, 42 U.S.C., §§ 2000e-1(b), (g) and (h) and §§ 11(b), (g), and (h).

STATEMENT OF CLAIMS

10. Since on or about January 1, 2000 to the present date, "Defendant Employers" have engaged in unlawful employment practices at its facility in Las Vegas, Nevada in violation of §§706(f)(1) and (3) of Title VII, 42 U.S. C., §§2000e-5(f)(1) and (3). The unlawful sexual harassment and sex based harassment in the form of verbal harassment directed at the Charging Parties and other similarly situated individual women impacted the terms and conditions of their employment and created a hostile working environment at "Defendant Employers." These practices also included the retaliation against and/or termination of the Charging Parties and other similarly situated individuals for having complained about the hostile work environment.

11. The impact of the aforementioned conduct deprived the Charging Parties and other similarly situated individuals of equal employment opportunities and otherwise adversely impacted their employment status because of their sex and in retaliation for opposing discriminatory practices or engaging in a protected activity that resulted in adverse employment action.

12. The unlawful employment practices complained of above were and are willful within the meaning of §§706(f)(1) and (3) of Title VII, 42 U.S. C., §§2000e-5(f)(1) and (3).

13. The unlawful employment practices complained of above were intentional and caused the Charging Parties and other similarly situated individuals to suffer emotional distress.

14. "Defendant Employers" have acted with malice or reckless indifference to the federally protected rights of the Charging Parties and other similarly situated individuals by subjecting them to harassment consisting of sexually charged conduct, forced vaginal sex, attempted sodomy, forced oral sex, unwelcomed touching, derogatory statements, and obscene and vulgar language. Women were openly asked by supervisor(s) to perform acts of a sexual nature as well as subjected to other derogatory and obscene statements. When Charging Parties complained to "Defendant Employers" about the harassment they and other similar situated individuals were being subjected to, their requests were either ignored or they were subjected to further harassment. The Charging Parties and other similarly situated individuals were also subject to retaliation for opposing discrimination or engaging in a protected activity resulting in

JURY DEMAND

The Commission requests a jury trial on all questions of fact raised by its Complaint.

Respectfully Submitted By:

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Dated: June 7, 2005

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